

STATE OF CONNECTICUT

SC 210218

SUPREME COURT

IN RE: HONORABLE ALICE A. BRUNO

APRIL 4, 2022

MOTION TO FILE MEDICAL RECORD UNDER SEAL

Brief History of the Case

1. The Honorable Alice A. Bruno (hereinafter Judge Bruno), was served with an Order to Show Cause ("the Order") dated February 10, 2022. The order requests information regarding Judge Bruno's alleged failure to perform judicial functions for "at least the last two years."
2. The Order states Judge Bruno is directed to "show cause why this Court should not commence proceedings to either suspend or remove Judge Bruno from her judicial office for potential violations of the Code of Judicial Conduct."
3. Judge Bruno has been ordered appear in person to respond to questions.
4. The Show Cause hearing is scheduled for April 5, 2022.

Specific Facts Relied Upon

5. Judge Bruno filed a Statement in Response to Order to Show Cause ("the Statement"), through counsel, on March 22, 2022 in response to the Order to Show Cause.
6. Judge Bruno has supported the Statement with a publicly filed Affidavit.

7. Judge Bruno has filed a Motion seeking to be excused from personally appearing dated April 4, 2022.
8. Judge Bruno's treating medical providers have submitted a report, dated April 3, 2022, describing Judge Bruno's present condition and proving an explanation to support a request to have her excused from a public hearing for the reasons stated therein.
9. Medical records are entitled to confidential treatment pursuant to Connecticut General Statutes § 52-146(c) to § 52-146(t). Medical records are also routinely made confidential by orders of the Superior Court in litigation.

Legal Grounds Upon Which the Moving Party Relies

10. Connecticut General Statutes § 51-51j provides that in any proceeding brought pursuant to this statutory section, "the Supreme Court shall make an investigation of the conduct complained of and hold a hearing thereon ..." Although there are no specific rules in the Connecticut Practice Book that apply to an order to show cause hearing in the Supreme Court, the Court has general supervisory powers to control appellate proceedings pursuant to Practice Book § 60-2, and inherent supervisory authority over the administration of justice. *State v. Ubaldi*, 190 Conn. 559, 570 (1983).
11. Connecticut Practice Book § 11-20A(c) states that upon written motion, affidavits or documents filed with the Court may be sealed or their disclosure limited if the judicial authority finds that such order is necessary to preserve an interest which is determined to override the public's interest in viewing such materials.
12. In *Rosado v. Bridgeport Roman Catholic Diocesan Corp.*, 292 Conn. 1, 46, (2009), this Court limited the presumption of availability to the public to those documents that can be

referred to as "judicial documents," that is, documents used in the adjudicatory function of the court.

13. In *Cohen v. Meyers*, 2015 Conn. Super. LEXIS 310, at *8 (Super. Ct. Feb. 17, 2015), the Court was presented with a motion to seal records concerning the medical condition of the defendant and found that the public's interest in viewing records related to the medical treatment at issue in the case was minimal and outweighed by the judicial system's interest in the orderly administration of justice.

Wherefore, for all the foregoing reasons, the Honorable Alice A. Bruno respectfully requests that the Court order medical report attached hereto be filed under seal.

Dated at New London, Connecticut this 4th day of April 2022.

Respectfully submitted
HONORABLE ALICE A. BRUNO

By:



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